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COMMITTEE ON THE BUDGET
COMMITTEE ON FOREIGN RELATIONS
COMMITTEE ON THE JUDICIARY
SELECT COMMITTEE ON INTELLIGENCE
DEMOCRATIC POLICY COMMITTEE

October 15, 2007

The President

The White House

Washington, D.C. 20500

Dear Mr. President:

On October 5, 2007, you spoke publicly about the CIA's detention and interrogation program, which I strongly oppose. In defending the program, you stated that "the techniques that we use have been fully disclosed to appropriate members of the United States Congress." This statement was misleading in at least three respects.

First, despite your reference to information being "fully disclosed," most of the members of the full Senate Intelligence Committee were not briefed about the program until several years after the program was created. Second, your administration continues to refuse to provide any legal opinions about the program to the Committee.

Third, and perhaps most importantly, your statement implied that members of Congress have consented or acquiesced to the program or the techniques. As senior Administration officials are well aware, I have vigorously opposed the program, and continue to do so. The program is of highly questionable legality, it is inconsistent with our values as a nation, and it does not make our nation any safer. In fact, I believe that it may have the effect of exposing Americans – including military and other U.S. personnel – to greater risk. As I stated earlier this year, "detainees should never be interrogated except as authorized by the United States Army Field Manual on Human Intelligence Collector Operations."

I have detailed the bases for my strong objections to the CIA's program in classified correspondence, sent shortly after I was first briefed on it. More recently, I have stated my opposition publicly, although I am prohibited by classification rules from providing further details about my concerns in a public setting.

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Your words and actions have prevented both Congress and the public from having the full, informed debate that this important topic deserves. The program should have been briefed to the full Senate Intelligence Committee at the outset, and the continued failure of your Administration to provide the Committee with any relevant Department of Justice legal opinions is entirely unjustified. Furthermore, while I strongly believe that the Army Field Manual should govern all interrogations, if you truly believed that the procedures authorized in that Manual were inadequate for certain terrorist suspects, you should have explained your position to Congress and the American people from the outset. I hope that you will finally provide that explanation now. Americans deserve more than misleading statements and euphemistic references to "alternative interrogation techniques."

The threat posed by al Qaeda and its affiliates is our top national security priority. Like all Americans, I believe that suspected terrorists should be detained and questioned, but I must strongly oppose a program that is based on such questionable legal, moral and national security grounds.

Respectfully,

A handwritten signature in blue ink, reading "Russell D. Feingold". The signature is fluid and cursive, with the first name "Russell" being more prominent than the last name "Feingold".

Russell D. Feingold

U.S. Senator